

EXHIBIT 6

Steven Ross - RE: FW: Cross-notice of Sandoz deposition

From: "Carberry, Paul" <pcarberry@ny.whitecase.com>
To: Steven Ross <Steven.Ross@doj.ca.gov>
Date: 12/5/2008 10:40 AM
Subject: RE: FW: Cross-notice of Sandoz deposition
CC: Nicholas Paul <Nicholas.Paul@doj.ca.gov>, "Bank, Brian" <bbank@ny.whitecase.com>, "Berwanger, Lara" <lberwanger@ny.whitecase.com>, "Boone, Laura" <lboone@ny.whitecase.com>, "Gallagher, Michael" <mgallagher@ny.whitecase.com>

Thank you for clarifying the State's position. Sandoz stands by its previously-stated position.

Regards.

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From: Steven Ross [mailto:Steven.Ross@doj.ca.gov]
Sent: Friday, December 05, 2008 12:14 PM
To: Carberry, Paul
Cc: Nicholas Paul; Bank, Brian; Berwanger, Lara; Boone, Laura; Gallagher, Michael
Subject: Re: FW: Cross-notice of Sandoz deposition

Mr. Carberry:

Thank you for your response. However, please note that CMO 31, para. 8J states that a party intending to cross-notice a deposition in another pricing case "shall inform opposing counsel in writing as soon as practicable, preferably at least two weeks before the date of the scheduled deposition." Mr. Gallagher's letter of November 13, while "inviting" California to attend the deposition noticed by Texas, mentions nothing about seeking or intending to cross-notice this deposition. We therefore believe that your position noted below is misplaced.

Steven U. Ross
Deputy Attorney General III
Bureau of Medi-Cal Fraud and Elder Abuse
Office of the Attorney General
California Department of Justice
619-688-6026
619-841-4919 cell

>>> "Carberry, Paul" <pcarberry@ny.whitecase.com> 12/4/2008 4:45 PM >>>
Steve: Michael Gallagher forwarded me your e-mail concerning the cross-notice of the 30(b)(6) deposition of Sandoz and asked me to respond.

We do not agree with the State's position. Sandoz first invited California to attend the December 10 deposition in our letter dated November 13. It is Sandoz' position that such notice complies with its obligations under the CMO. In light of this fact, we trust that the State will do everything within its power to take advantage of the

December 10 deposition and will not seek to burden Sandoz with a request for, what would amount to, cumulative and duplicative deposition testimony.

While we recognize your reservation of rights, Sandoz hereby reserves its right to object to and/or move to quash any subsequent notice by the State of California for a 30(b)(6) designee on these topics.

Regards.

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From: Steven Ross [mailto:Steven.Ross@doj.ca.gov]
Sent: Thursday, December 04, 2008 5:57 PM
To: Gallagher, Michael
Cc: Nicholas Paul
Subject: Cross-notice of Sandoz deposition

Michael:

We are in receipt of the cross-notice served yesterday in the California case by your office of the deposition of Sandoz, Inc. pursuant to FRCP 30. The deposition was originally noticed by Texas in its state action, and was originally served on **November 10, 2008**. Please be advised that California hereby objects to service of the cross-notice on the grounds that it violates the provisions of CMO 31, paragraph 8J in that insufficient notice has been provided to California by your office. Further, we may not be able to obtain state funded travel approval for this deposition on such short notice. Please be further advised that, whether or not we are able to attend this deposition, California hereby specifically reserves the right to notice its own deposition pursuant to FRCP 30 (b)(6) on issues concerning the specific data provided in this action by Sandoz to California.

Please advise us immediately whether you agree or disagree with our position. Thank you.

Steven U. Ross
Deputy Attorney General III
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Office of the Attorney General
California Department of Justice
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